

**A SUBSTITUTE RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO AMEND THE MASTER LEASE AGREEMENT WITH METROPCS GEORGIA, INC., TO ADD 7780 JETT FERRY ROAD TO THE MASTER SITE LEASE; AND TO CO-LOCATE ON THE JETT FERRY WATER TANK CERTAIN ANTENNAS AND COMMUNICATIONS EQUIPMENT ON THE LEASED SPACE; ALL REVENUE GENERATED PLUS ESCALATIONS AS CALLED FOR IN THE MASTER LEASE AGREEMENT SHALL BE DEPOSITED INTO THE APPROPRIATE FUND, ACCOUNT AND CENTER NUMBER; AND FOR OTHER PURPOSES.**

**WHEREAS**, MetroPCS Georgia, Inc., requires antennas to provide wireless communication service to its customers; and

**WHEREAS**, MetroPCS; Inc., wishes to reduce the proliferation of cellular towers within the City of Atlanta; and

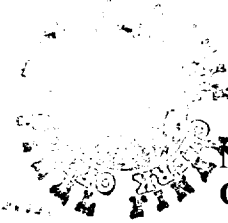
**WHEREAS**, the City of Atlanta has entered into a master lease agreement with MetroPCS Georgia, Inc., for the locating of wireless telecommunications towers and co-locating antennas upon same; and

**WHEREAS**, MetroPCS, Georgia, Inc., wishes to amend the master lease agreement to add 7780 Jett Ferry Road to the master site lease; and

**WHEREAS**, the City of Atlanta is the owner of the property located at 7780 Jett Ferry Road, Atlanta, Georgia 30350; and

**WHEREAS**, the Director of Office of General Services and the Commissioner of the Department of Watershed Management recommend that a contract be entered into with MetroPCS Georgia, Inc.





**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1:** That the Mayor or her designee be and is hereby authorized to amend the existing master site lease and other contractual agreements with MetroPCS Georgia, Inc., to co-locate at 7780 Jett Ferry Road, antennas and to lease a portion of the site for certain communication equipment.

**SECTION 2:** That MetroPCS Georgia, Inc., shall make payment to the City in the amount of \$2,000.00 per month, \$24,000.00 per year for an initial term of five (5) years, with the option to extend the term for three additional successive five year periods; and

**SECTION 3:** That following the second year under any Site lease, monthly Rent payable under such Site Lease during each Renewal Term shall be equal to one hundred four percent (104%) of the Rent in effect for the last full calendar month immediately prior to the commencement of such subsequent year.

**SECTION 4:** That a Site Lease substantially in the form attached hereto and other contractual agreements are hereby authorized to be executed by the Mayor; and

**SECTION 5:** That this Site lease and other contractual agreements shall not become binding on the City, and the city shall incur no obligation upon same until such master lease and other contractual agreement has been approved by the City Attorney as to form, executed by the Mayor, sealed by the Municipal Clerk, and delivered to the contracting party.

**SECTION 6:** That all revenue generated shall be deposited into the Care and Conserve Fund, Fund Account Center Number 3P02 462101 Q11W02CBQNA0.

A true copy,

*Shanda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAR 03, 2003  
MAR 11, 2003



EXHIBIT B-2

TO THE MASTER LEASE AGREEMENT  
DATED DECEMBER 28, 2001,  
BETWEEN CITY OF ATLANTA, AS LANDLORD,  
AND METROPCS GEORGIA, INC.

Cell Site ID: ATL528  
State: Georgia  
City: Atlanta

City Site Name: Jett Ferry Rd. Water Tank Site  
Site Latitude/Longitude: 33-58-01.2/84-17-54.7

LEASE AGREEMENT

THIS LEASE AGREEMENT (this "Lease") is entered into this \_\_\_\_ day of \_\_\_\_\_, 200\_\_, between the City of Atlanta, a body corporate and politic ("Landlord"), and MetroPCS Georgia, Inc., a Delaware corporation ("Tenant").

Incorporation of Master Lease. This Lease is a "Site Lease" as referenced in that certain Master Lease Agreement between Landlord and Tenant, dated December 28, 2001 (the "Master Lease"). All of the terms and conditions of the Master Lease are hereby incorporated herein by reference and made a part of hereof without the necessity of attaching hereto the original or any copy of the Master Lease. Unless expressly modified herein, the terms and conditions of the Master Lease shall govern with respect to the subject matter hereof, and, unless otherwise defined herein, capitalized terms used herein shall have the respective meanings ascribed thereto in the Master Lease.

Premises. The Premises leased by the Landlord to Tenant hereunder are as follows: [Site address and legal description to be provided as **Exhibit A-1.**]

Term. The initial term of this Lease shall commence and expire as set forth in Section 4.a. of the Master Lease. The Commencement Date is \_\_\_\_\_.

Rent. Rent hereunder shall be payable monthly in the amount of (\$2,000.00) per month.

Special Access Arrangements. Landlord hereby grants to Tenant a non-exclusive easement benefiting Tenant's interest in the Premises for reasonable and necessary pedestrian and vehicular ingress and egress, the installation of utilities serving the Premises and improvements thereon, and the maintenance and installation of guy wires and other such mechanisms required or recommended, over the property including improvements on the property of Landlord which surrounds the Premises. In this regard, Landlord shall also provide the Tenant any and all keys and or combinations to any locks to allow Tenant full access for purposes of Tenant's easement set forth in the immediately preceding sentence. Other special access requirements \_\_\_\_\_.

Conditions. This Agreement is subject to the conditions of approval set forth by the City of Atlanta, Department of Watershed Management, incorporated herein and attached hereto as **Exhibit B.**

Landlord Contact for Emergency: Commission of Administrative Services 404-330-6351

Tenant Contact for Emergency: Jerry Donahue, W-770-256-3005 C- 770-256-3505





The parties have entered into this Lease as of the date first stated above.

ATTEST

BY LANDLORD  
CITY OF ATLANTA:

\_\_\_\_\_  
Municipal Clerk (City Seal)

\_\_\_\_\_  
Mayor

RECOMMENDED:

RECOMMENDED:

\_\_\_\_\_  
Director Office of General Services

\_\_\_\_\_  
Chief Operating Officer

RECOMMENDED:

RECOMMENDED:

\_\_\_\_\_  
Chief Procurement Officer

\_\_\_\_\_  
Chief Financial Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney

ATTEST

BY TENANT  
METROPCS GEORGIA, INC.,  
a Delaware corporation

By: Craig Benn  
Name: Craig Benn  
Title: Vice President Finance/Operations

By: Albert S. Loverde  
Name: Albert S. Loverde  
Title: Vice President/General Manager





## **EXHIBIT A-1**

Page 1 of 3

### **Site Address & Legal Description**

#### **Site Address:**

- Jett Ferry Road Water Tank Site, 7780 Jett Ferry Road, Atlanta GA

#### **Legal Description:**

- To be inserted once it is obtained by a Surveyor on behalf of Metro PCS.

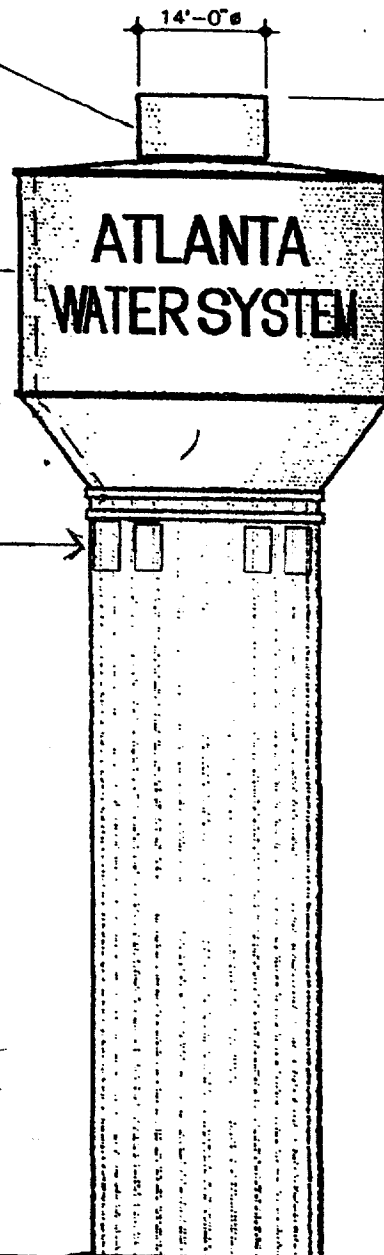


# EXHIBIT A-1

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FILE 000

EXISTING  
TANK



Proposed Metro PCS Antenna Location:  
Initial installation of 3 antennas (1 per sector)  
Metro PCS has the option of adding 3  
Additional growth antennas for a total of 6  
(2 per sector).

1 ELEVATION C  
NO SCALE

THESE DRAWINGS ARE PROPRIETARY IN NATURE & REMAIN THE PROPERTY OF AIRTOUCH CELLULAR. THEY MAY NOT BE REPRODUCED IN ANY FORM OR LOANED OUT WITHOUT WRITTEN PERMISSION FROM AIRTOUCH CELLULAR.

DRAWINGS AND DETAILS MAY BE INCLUDED WHICH HAVE BEEN ENGINEERED BY PROFESSIONAL CONSULTANTS OR VENDORS, WHO ARE SOLELY RESPONSIBLE FOR THE CONTENT THEREIN.

THESE ARE NOT CERTIFIED ENGINEERING DRAWINGS UNLESS SIGNED AND SEALED BY A LICENSED PROFESSIONAL

CONSULTANT



EXHIBIT A-1

Page 3 of 3

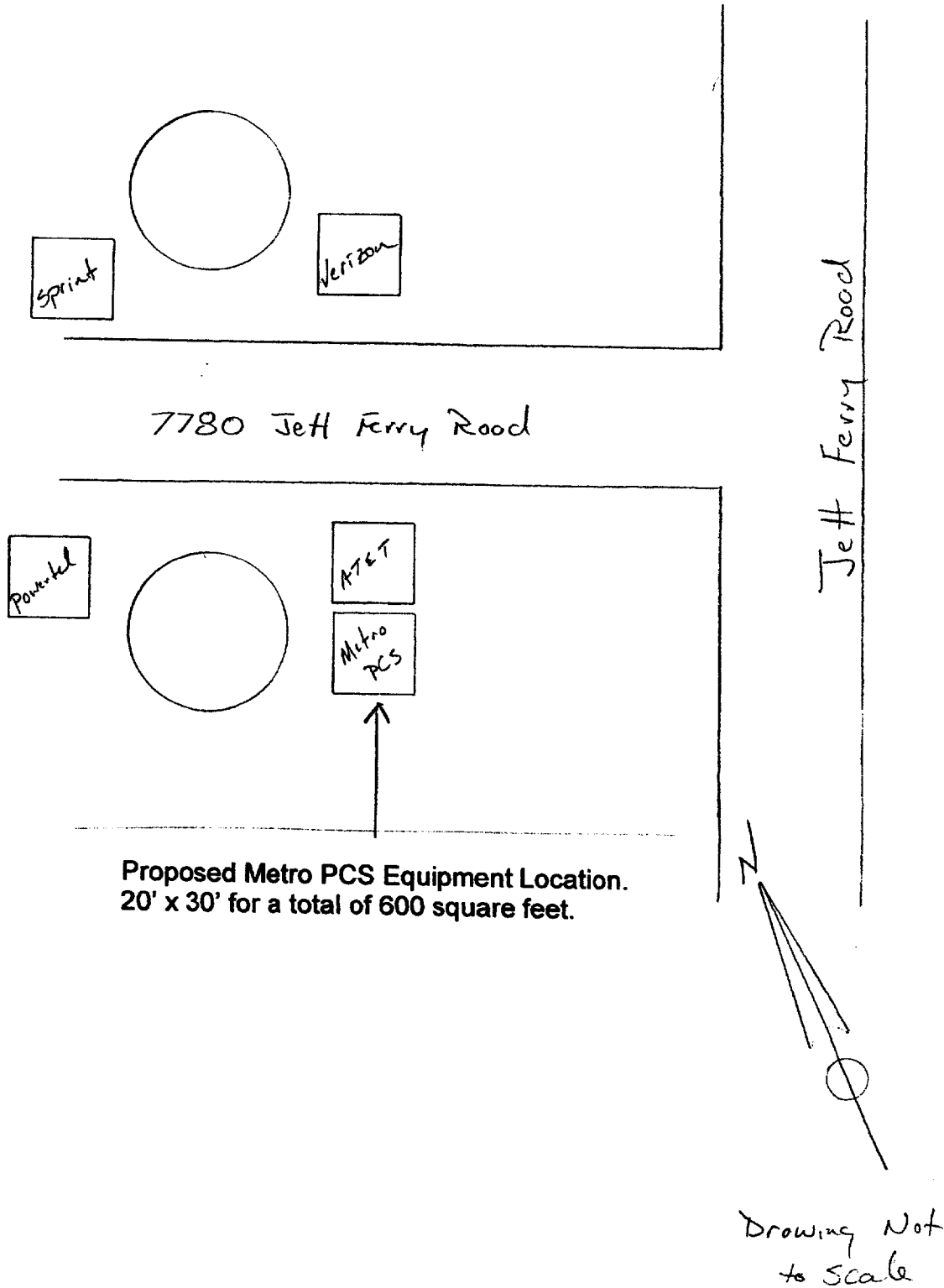
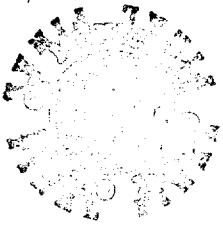




EXHIBIT B



CITY OF ATLANTA

SHIRLEY FRANKLIN  
MAYOR

2528 CHATTAHOOCHEE CIRCLE, NW  
ATLANTA, GEORGIA 30318  
OFFICE . 404-658-7273  
FAX . 404-609-9861

DEPARTMENT OF WATERSHED  
MANAGEMENT  
JACK E. RAVAN  
Commissioner

**MEMORANDUM**

TO: **Chick Vossen**, Executive Assistant of Technology Management  
Office of General Services

FROM: *Jack E. Ravan*  
**Jack Ravan**, Commissioner  
Dept. of Watershed Management

DATE: January 28, 2003

SUBJECT: **Antenna Installation on Jett Ferry Tank**

Mr. Neal Allen, representing a local telecommunications firm, Metro PCS, has approached the City about placing an antenna on one of the Jett Ferry water storage tanks.

Please move forward with this action, which will provide additional revenue to the City. The revenue shall be deposited into the Care and Conserve account # 3P02 462101 Q11W02CBQNA0.

As part of the implementation, Mr. Allen was advised of the following conditions on which the antenna installation would be approved:

1. The Carrier shall accommodate any future painting projects for the tanks. Mr. Allen was prepared to take necessary precautions (at no additional cost to the City) to work with the City's painting Contractor, next scheduled during 2003, in order to avoid damage to his antenna equipment.
2. If requested, the carrier shall move to a new mast. Mr. Allen was also aware that the existing cell carriers that have antennae located on the tank may be relocated to a mast structure which would be placed on top of a tank. If this structure is built, Metro PCS agreed to move to the new mast if requested to do so by the City.
3. Construction Drawings must be approved. Metro PCS has not yet completed the final design drawings which would specify the antenna structure, cable feed, and equipment housing. This must be submitted and approved by the City before construction may begin.

cc: Chris New  
Benjamin Kuku  
Melinda Langston  
Sharon Owen



RCS# 4504  
3/03/03  
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT 1



<b>3/03/03 FULL COUNCIL MEETING</b>	
<b>Items Adopted on the Consent Agenda</b>	<b>Items Adversed on the Consent Agenda</b>
1. 03-O-0154	32. 03-R-0244
2. 03-O-0155	33. 03-R-0246
3. 03-O-0156	34. 03-R-0247
4. 03-O-0157	35. 03-R-0248
5. 03-O-0158	36. 03-R-0249
6. 03-O-0159	36. 03-R-0250
7. 03-O-0227	37. 03-R-0251
8. 03-O-0230	38. 03-R-0252
9. 03-O-0231	39. 03-R-0253
10. 03-O-0278	40. 03-R-0254
11. 03-R-0232	41. 03-R-0255
12. 03-R-0285	42. 03-R-0256
13. 03-R-0216	43. 03-R-0257
14. 03-R-0222	44. 03-R-0258
15. 03-R-0309	45. 03-R-0259
16. 03-R-0226	46. 03-R-0260
17. 03-R-0283	47. 03-R-0261
18. 03-R-0284	48. 03-R-0262
19. 03-R-0324	49. 03-R-0263
20. 03-R-0237	50. 03-R-0264
21. 03-R-0238	51. 03-R-0265
22. 03-R-0239	52. 03-R-0266
23. 03-R-0240	53. 03-R-0267
24. 03-R-0241	54. 03-R-0268
25. 03-R-0242	55. 03-R-0269
26. 03-R-0243	56. 03-R-0270
27. 03-R-0245	57. 03-R-0271
28. 03-R-0279	58. 03-R-0272
29. 03-R-0280	59. 03-R-0273
30. 03-R-0281	60. 03-R-0274
31. 03-R-0282	61. 03-R-0275
	62. 03-R-0276
	63. 03-R-0277

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Consent I Vote: 12 Yeas; 0 Nays: (See RCS #4504)  
Item Removed from the Consent Agenda: 03-R-0321



# 03-R-0223

(Do Not Write Above This Line)

A RESOLUTION BY FINANCE/  
EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE  
MAYOR OR HER DESIGNEE TO  
AMEND THE MASTER LEASE AGREE-  
MENT WITH METROPCS GEORGIA,  
INC., TO ADD 7780 JETT FERRY  
RD., TO THE MASTER SITE LEASE  
AND TO CO-LOCATE ON THE JETT  
FERRY WATER TANK CERTAIN  
ANTENNAS AND COMMUNICATIONS  
EQUIPMENT ON THE LEASED  
SPACE: ALL REVENUE GENERATED  
PLUS ESCALATIONS AS CALLED  
FOR IN THE MASTER LEASE  
AGREEMENT SHALL BE DEPOSITED  
INTO THE APPROPRIATE FUND,  
ACCOUNT AND CENTER NUMBER;  
AND FOR OTHER PURPOSES.

ADOPTED BY

MAR 03 2003

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Fav, Adv, Hold (see rev. side)  
Other

Refer To

Refer To

CERTIFIED

- FINAL COUNCIL ACTION
- ☐ 2nd
  - ☐ 1st & 2nd
  - ☐ 3rd
  - ☒ Consent
  - ☐ V Vote
  - ☒ RC Vote

CERTIFIED

MAR 03 2003

ATLANTA CITY COUNCIL PRESIDENT

Calvin W. Herdard

CERTIFIED

MAR 03 2003

Rene D. Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAYOR